

It is ORDERED that, pursuant to the parameters of this letter, the testamentary discovery stay in Case Nos. 13-cv-7789, 15-cv-9300, 17-cv-3139 and 18-cv-10364 is lifted as to Frank Cahill and Serge Sarramegna, and remains in place for the following witnesses: Jason Katz, Christopher Cummins and Nicholas Williams. The Clerk of Court is respectfully requested to docket this order in all captioned cases.

Dated: February 25, 2020  
New York, New York

**VIA ECF**

The Honorable Lorna G. Schofield  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007



LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE

Re: *In re Foreign Exchange Benchmark Rates Antitrust Litigation*, No. 13-cv-7789 (LGS); *NYPL, et al. v. JPMorgan Chase & Co., et al.*, 15-cv-9300 (LGS); *Contant, et al. v. Bank of America Corporation, et al.*, No. 17-cv-3139 (LGS); *Allianz, et al. v. Bank of America Corporation, et al.*, No. 18-cv-10364 (LGS)

Dear Judge Schofield:

Pursuant to the Court's December 4, 2019 Order (13-cv-7789, Dkt. No. 1373), the United States Department of Justice, through the Antitrust Division and the Fraud Section of the Criminal Division ("the Department"), submits this letter regarding the discovery stay in the above foreign-exchange related matters. The Department similarly submitted a letter on January 10, 2020 (13-cv-7789, Dkt. No. 1376).

The Department requests that the stay remain in place with respect to particular individuals associated with the case *United States v. Akshay Aiyer*, 18-cr-333 (JGK).<sup>1</sup> Specifically, the Department requests that the stay remain in place with respect to Jason Katz, Christopher Cummins, and Nicholas Williams until Defendant Aiyer, Mr. Katz, and Mr. Cummins are sentenced. Their sentencing are scheduled for April 2020.

Plaintiffs in the *In re Foreign Exchange* case (13-cv-7789), the *Allianz* case (18-cv-10364), and the *Nypl* case (18-cv-10364) consent to the Department's request. Plaintiffs in the *Contant* case (17-cv-3139) take no position. All Defendants consent to the request except for Credit Suisse, which takes no position.

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<sup>1</sup> Previously, the stay was also in place with respect to Frank Cahill and Serge Sarramegna, individuals associated with *United States v. Johnson*, 18-1503-cr. The Second Circuit has denied defendant Johnson's petition for rehearing en banc, and the Department does not oppose lifting the stay as to those individuals.

Respectfully submitted,

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cc: All counsel (via ECF)